

Introduced by Senator Oropeza

February 14, 2008

An act to amend Section 12281 of the Elections Code, relating to polling places.

LEGISLATIVE COUNSEL'S DIGEST

SB 1235, as introduced, Oropeza. Polling place: notice of change.

Existing law provides that when the location of a polling place is changed and there is not sufficient time to mail out a notice to voters, notices of the new location must be placed at the former polling place.

This bill would also require notices to be placed at the former polling place location informing voters of the new location even when there is time to mail out a notice of the change of location.

Because the bill would create a new duty for local elections officials, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12281 of the Elections Code is amended
2 to read:

1 12281. (a) If, for any valid reason, the polling place designated
2 for any precinct cannot be used, and this fact is known in sufficient
3 time to allow a mailed notice to be received before the election,
4 the elections official may designate another polling place and shall
5 mail, to each voter in the precinct a notice showing this change.
6 *In addition, the elections officials shall post notice on or near the*
7 *polling place first designated, informing voters of the new polling*
8 *place location.*

9 (b) If the information is not known in sufficient time for a
10 mailing pursuant to subdivision (a), either the elections official or,
11 in the case of an emergency, the precinct board on the day of
12 election, shall designate another polling place as near the *polling*
13 *place first designated as possible, post notice on or near the polling*
14 *place first designated informing voters of the new polling place*
15 *location, and conduct the election at the new location.*

16 SEC. 2. If the Commission on State Mandates determines that
17 this act contains costs mandated by the state, reimbursement to
18 local agencies and school districts for those costs shall be made
19 pursuant to Part 7 (commencing with Section 17500) of Division
20 4 of Title 2 of the Government Code.